

**To:** Stein, Mark[Stein.Mark@epa.gov]  
**From:** Houlihan, Damien  
**Sent:** Thur 7/11/2013 11:27:06 AM  
**Subject:** RE: language from proposed Steam Electric Guidelines

Mark –

I like your idea and it makes sense to me. I don't see much down side/risk if we go directly to BAT limits since, if we are unable to apply BAT limits, we presumably would also not be able to apply any BCT limits we develop. Let me know what you think.

Damien

**From:** Stein, Mark  
**Sent:** Wednesday, July 10, 2013 4:34 PM  
**To:** Houlihan, Damien  
**Subject:** language from proposed Steam Electric Guidelines

Damien – Here's language used in the recent proposed steam electric guidelines:

## VIII. Proposed Regulation

### A. Regulatory Options

#### 1. BPT/BCT

EPA is not proposing to revise the BPT effluent guidelines or establish BCT effluent guidelines in this notice because the same wastestreams would be controlled at the proposed BAT/BADCT (NSPS) level

of control. EPA is proposing to remove FGD wastewater, FGMC wastewater, gasification wastewater, and leachate from the definition of low-volume wastes. As a result, EPA is making a structural adjustment to the text of the regulation at 40 CFR part 423 to add paragraphs that list these four wastestreams by name, along with their applicable effluent limitations. The reformatted regulatory text for these four wastestreams includes BPT effluent limits, which are the same as the current BPT effluent limits for low volume wastes.

I wonder if we could use this language, modified a bit, to say we are not proposing BCT guidelines because the same wastestreams would be controlled at the proposed BAT levels. Now we would not have BPT limits to back up the BAT limits, the way that it appears the rule does here, but given the BAT limits, maybe it would work.